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GRAY CARY GT

NO. 176

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PATENT
ATTORNEY DOCKET NO. STEM1110-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Twardzik et al.
Serial No.: 10/050,190
Filed: January 15, 2002
Title: TGF- α POLYPEPTIDES, FUNCTIONAL FRAGMENTS AND METHODS OF USE THEREFOR

Art Unit: 1647
Examiner S. Gucker

56 9/17/04

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir;

The undersigned, attorney of record for Petitioner, STEM CELL PHARMACEUTICALS, INC., with its place of business at 562 First Avenue South, Suite 700, Seattle, Washington 98104, represents that Petitioner is the Assignee of all interest in Application No. 10/050,190, filed January 15, 2002, entitled TGF- α POLYPEPTIDES, FUNCTIONAL FRAGMENTS AND METHODS OF USE THEREFOR as evidenced by the Assignment recorded in the United States Patent and Trademark Office on, at Reel 012413, Frame 0839, recorded January 2, 2002.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Cara Grifone

(Name of person mailing paper)

Cara Grifone
Signature

September 17, 2004
Date

Gray Cary\GT\64Q5083.1
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In re Application of:
Twardzik et al.
Application No.: 10/050,190
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PATENT
Attorney Docket No.: STEM1110-5

The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, STEM CELL PHARMACUTICALS, INC., disclaims the terminal part of any patent granted on the above-identified Application No. 10/050,190 which would extend beyond the expiration date of U.S. Patent Nos. 6,486,122 and 6,764,683. Petitioner hereby agrees that any patent so granted on the above-identified application, No. 10/050,190, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 6,486,122 and 6,764,683, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

The Commissioner is hereby authorized to charge the amount of \$55.00 to cover the fee for the Terminal Disclaimer submitted herewith. The Commissioner is also authorized to charge any other fees or credit any overpayment to Deposit Account No. 50-1355.

Respectfully submitted,

Date: September 17, 2004



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